Student Behavior, Discipline, and Reporting

Purpose
The purpose of this policy is to provide a consistent process for student behavior, discipline and reporting in the Fargo Public Schools and assist school teams in providing behavioral supports for all students.

Student Behavior & Discipline Statement
The District shall strive to involve families, students, and staff in the decisions affecting students' behavior and discipline.

Behavior Standards
Students will be expected to conduct themselves in a manner that will not impede the orderly conduct of district schools. Students will be expected to respect the rights of others on district property, including, but not limited to, district-owned/leased/chartered vehicles, and at school-sponsored events. Off-campus student behaviors that have a substantial disruptive effect on district operations and/or the educational environment will be addressed by school personnel.

Disciplinary Standards
Disciplinary responses for misbehavior will be developmentally appropriate and based on each incident. Administrators and teachers will utilize the Fargo Public Schools Code of Conduct and Support when determining a disciplinary response.

Disciplinary Standards for Special Education Students
District employees are required to comply with the Individuals with Disabilities Education Act, Section 504 and the Americans with Disabilities Act when responding to violations of student behavior standards by special education students.

Prohibited Disciplinary Actions
The use of corporal punishment, defined as the willful infliction of physical pain on a student, is not allowed in the Fargo Public School District. Per North Dakota Century Code 15.1-19-02, corporal punishment does not prohibit action taken by an employee for self-defense, protection of persons or property, obtaining possession of a weapon or other dangerous object, to quell a verbal disturbance, for the preservation of order, or pain or discomfort caused by athletic competition or recreational activities voluntarily engaged in by a student. Complaints alleging that a district employee inflicted corporal punishment will be dealt with in accordance with administrative policy (AP 4060/5060/6060/6250).

Disciplinary Authority
School personnel, including student teachers, shall be granted disciplinary authority by the building principal or Superintendent based on the job description of the employee. Personnel granted such authority shall be required to comply with this policy and any limitations it establishes.

Any district employee who acts outside the job description of the employee may be subject to disciplinary action, including but not limited to, discharge from/termination of employment in accordance with the law and/or the negotiated contract.

Student Behavior Standards & Disciplinary Procedures
Student behavior infractions shall be classified as minor, major (see the Fargo Public Schools Code of Conduct and Support), or expellable violations (see AP 6320 - Suspension and Expulsion).

When determining the level of a behavior infraction, a teacher, building administrator, or another school official with disciplinary authority shall take into account the totality of circumstances associated with misbehavior, such as, but not limited to:

- Prior interventions that have been put in place to address the behavior(s);
- The degree to which the behavior infraction disrupted the educational environment;
- The degree to which the behavior infraction infringed on the rights of others;
- The frequency of the incidents of prior behavior infractions.
- The proximity in time of the incidents of prior behavior infraction.

When a school official is unsure of how to appropriately classify a student behavior infraction, s/he shall consult with a building administrator, the Associate Superintendent, or Superintendent before responding to the behavior infraction. Neither this requirement nor the disciplinary procedure below shall supersede district policies and procedures containing emergency response and safety measures.

Student Behavior Violations
Below are descriptors and examples of minor behavior violations and major behavior violations (see the Fargo Public Schools Code of Conduct and Support).

Minor Behavior Violations May Include:

- Behaviors that are disrespectful, irresponsible, and unsafe.
- Behavior that is disruptive to the learning environment of the student or others.
- Refusal to comply with reasonable requests.
- Behaviors managed with a brief intervention by an adult present in that setting.

Minor violations may include, but are not limited to: inappropriate language, disruption, roughhousing, cheating, technology violation, physical aggression, teasing, work refusal, disrespect towards the property, dishonesty, dress code violation, disrespectful tone, attitude, or body language, running around the room, elopement, etc.

Major Behavior Violations May Include:

- Behaviors that involve safety issues.
- Behaviors targeting others.
- Behaviors that include physical injury.
- Behaviors that involve the destruction of school property.
- Behaviors that involve alcohol, tobacco, or drugs.

Major behavior violations may include, but are not limited to: inappropriate social media impacting the school day, terroristic threats, theft**,** vandalism of school or personal property, bullying/cyberbullying, possession of stolen property, extortion, discrimination/harassment, sexual harassment, possession of weapon, threats/intimidation/hazing, fighting/physical assault, sexting, any violation of state or federal law, dress code violations that support hate, gang, or drug affiliations, etc.

Investigation & Disciplinary Procedures

Minor Behavior infractions

Minor behavior infractions may be reported to the building administrator by submitting the Student Behavior Reporting Form at the elementary and secondary levels. Minor behavior infractions shall be handled by the student's teacher or by a school official with disciplinary authority when the student is not under the supervision of a teacher. If the teacher/school official did not witness the infraction, s/he will investigate to determine if the student was in violation of behavior standards. In addition, teachers/school officials with disciplinary authority are authorized to respond to violations by invoking one or more of the following options, such as, but not limited to:

1. Implement responses that maintain the continuity of the student's instruction or are least disruptive.
2. Review and consider the student's individual plan (IEP, BIP, ILP, MTSS or 504) prior to implementing responses.
3. Communicate with parents/guardians about behaviors and responses.

Possible Responses

Teachers/school officials with disciplinary authority are authorized to respond to infractions using one or more of the options, defined in the Fargo Public Schools Code of Conduct and Support, but not limited to the printed options.

Major Behavior Infractions

Major infractions must be reported to the building principal by submitting the Student Behavior Reporting Form at the elementary and secondary school. The principal will conduct further investigation and report findings to the parent(s) and classroom teacher or appropriate support staff. Staff with disciplinary authority are authorized to respond to violations by invoking one or more of the following options, such as, but not limited to:

1. Implement responses that maintain the continuity of the student's instruction or are least disruptive.
2. Review and consider the student's individual plan (IEP, BIP, ILP, MTSS or 504) prior to implementing responses.
3. Communicate with parents/guardians about behaviors and responses.
4. Communicate with the classroom teacher or appropriate support staff regarding the outcome of the behavior referral.

Possible Responses

Teachers/school officials with disciplinary authority are authorized to respond to infractions using one or more of the options, defined in the Fargo Public Schools Code of Conduct and Support, but not limited to the printed options.

The building principal may respond to student behavior infraction using any of the measures listed in the Fargo Public Schools Code of Conduct and Support, or may recommend more severe penalties, which may include expulsion, in accordance with district policy (AP 6320).

AP 6312 Juvenile Referral of a Student with Disabilities
Legal Reference:
Americans With Disabilities Act of 1990, Pub. L. No. 101-336, 104 Stat. 328 (1990)
IDEA/B 300.530 Authority of School Personnel
NDCC 15.1-09-33

8/8/1967
Revised 1/15/2003
Revised 12/15/2009
Revised 1/11/2013
Revised 7/2015
Revised 8/2017
Revised 1/2020
Revised 1/2025